

REMARKS

This Rule 312 amendment is filed prior to payment of the issue fee. It is noted that the subject application claims the benefit of priority of U.S. Provisional Patent No. 60/239,317. Apparently, based on the Examiner's mere request to amend the specification, it has been determined by the USPTO that a typographical error (60/237,317) does not constitute a lack of submission of a reference to a prior-filed provisional application.


However, in the event that it is determined that the typographical error now warrants a Petition to Claim Benefit Under 35 U.S.C. §119(c) of Prior Filed Provisional Application (37 C.F.R. §1.78(a)(6)), besides respectfully requesting the Examiner to contact the undersigned attorney to explain this fact, the following constitutes an acceptable petition:

1. Applicant hereby petitions, in accordance with 37 C.F.R. §1.78(a)(6), to claim the benefit, for this application under 35 U.S.C. §119(c) of prior provisional application: U.S. Provisional Application 60/239,317 filed October 10, 2000.
2. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(5)(i) of C.F.R. §1.78 and the date this claim is filed was unintentional.
3. The surcharge fee set forth in §1.17(t), required by 37 C.F.R. §1.78(a)(6)(ii), is paid through authorization hereby made to charge the entire surcharge fee, anticipated to be the amount of \$1,370, to Deposit Account No. 02-2666. A duplicate of the fee transmittal sheet is attached hereto for this purpose.

Respectfully submitted,

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Dated: 9/30/2005

By 
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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

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Tu Nguyen 

9/30/2005

Date